

**AMENDMENTS TO THE CLAIMS**

Please amend claims 3, 9, 13, 24 and 28 as shown below. A complete listing of claims that are, or were, in the instant application are presented as per the revised format permitted under the proposed waiver of 37 CFR § 1.121(a), (b), (c), and (d).

1. (Cancelled)

2. (Previously amended) An isolated nucleic acid molecule comprising a nucleotide sequence that encodes SEQ ID NO:2.

3. (Currently amended) ~~An~~The isolated nucleic acid molecule according to claim 2, comprising the coding region of SEQ ID NO:1.

4. and 5. (Cancelled)

6. (Previously amended) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 2.

7. (Original) A recombinant vector comprising the chimeric gene of claim 6.

8. (Original) A transgenic host cell comprising the chimeric gene of claim 6.

9. (Currently amended) ~~A~~The transgenic host cell according to claim 8, which is a transgenic plant cell.

10. (Original) A transgenic plant comprising the transgenic plant cell of claim 9.

11. (Original) The transgenic plant of claim 10, which is selected from the group consisting of: rice, wheat, barley, rye, rape, corn, potato, carrot, sweet potato, sugar beet, bean, pea, chicory, lettuce, cabbage, cauliflower, broccoli, turnip, radish, spinach, asparagus, onion, garlic, eggplant, pepper, celery, squash, pumpkin, cucumber, apple, pear, quince, melon, plum, cherry, peach, nectarine, apricot,

strawberry, grape, raspberry, blackberry, pineapple, avocado, papaya, mango, banana, soybean, tobacco, tomato, sorghum, and sugarcane.

12. (Previously amended) Transgenic seed from a transgenic plant according to claim 10.

13. (Currently amended) A method of increasing SAR gene expression in a plant, comprising the steps of:

*By*  
(a) introducing the chimeric gene of claim 6 into a plant cell; and  
(b) regenerating a transformed plant from said plant cell, wherein said  
transformed plant has increased SAR gene expression expressing the  
chimeric gene according to claim 6 in the plant.

14.- 20. (Withdrawn)

21. (Previously added) A chimeric gene comprising a promoter active in plants operatively linked to the nucleic acid molecule of claim 3.

22. (Previously added) A recombinant vector comprising the chimeric gene of claim 21.

23. (Previously added) A transgenic host cell comprising the chimeric gene of claim 21.

*35*  
24. (Currently amended) A-The transgenic host cell according to claim 23, which is a transgenic plant cell.

25. (Previously added) A transgenic plant comprising the transgenic plant cell of claim 24.

26. (Previously added) The transgenic plant of claim 25, which is selected from the group consisting of: rice, wheat, barley, rye, rape, corn, potato, carrot, sweet potato, sugar beet, bean, pea, chicory, lettuce, cabbage, cauliflower, broccoli, turnip,

radish, spinach, asparagus, onion, garlic, eggplant, pepper, celery, squash, pumpkin, cucumber, apple, pear, quince, melon, plum, cherry, peach, nectarine, apricot, strawberry, grape, raspberry, blackberry, pineapple, avocado, papaya, mango, banana, soybean, tobacco, tomato, sorghum, and sugarcane.

27. (Previously added) Transgenic seed from a transgenic plant according to claim 25.

28. (Currently amended) A method of increasing SAR gene expression in a plant, comprising the steps of:

(a) introducing the chimeric gene of claim 21 into a plant cell; and  
(b) regenerating a transformed plant from said plant cell, wherein said transformed plant has increased levels of SAR gene expression, expressing the chimeric gene according to claim 21 in the plant.